



Dkt. 0687/74768-BA-PCT-US/JPW/GJG/MJP

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Michael Wayne Graham and Robert Norman Rice  
Serial No. : 10/646,070                      Examiner : Whiteman, Brian A.  
Filed : August 22, 2003              Art Unit : 1635  
For : CONTROL OF GENE EXPRESSION

30 Rockefeller Plaza  
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New York, New York 10112  
May 11, 2009

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

This Supplemental Information Disclosure Statement is being filed concurrently with the Applicants' Amendment in Response to the November 4, 2008 Final Office Action issued by the United States Patent and Trademark Office in connection with the above-identified application. Two additional Supplemental Information Disclosure Statements are also being concurrently submitted herewith. In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicants direct the Examiner's attention to the following references which are listed on the Form PTO-1449 (Substitute) attached hereto as **Exhibit A**.

According to 37 C.F.R. § 1.97(c), a Supplemental Information Disclosure Statement filed after the period specified in 37 C.F.R. § 1.97(b) shall be considered if accompanied by the fee set forth in 37 C.F.R. § 1.17(p) or a statement under 37 C.F.R. § 1.97(e). The required fee set forth in 37 C.F.R. § 1.17(p) is

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one hundred and eighty dollars (\$180.00) and a check including  
this amount is enclosed.

Copies of items 77 to 380, and all U.S. Patents and all U.S.  
Patent Application Publications have not been included in  
accordance with 37 C.F.R. § 1.98(a)(2)(ii). Copies of the  
remaining items listed below have been submitted to or provided  
by the United States Patent and Trademark Office in related  
patent applications. Applicants attach hereto as **Exhibit B** a  
table listing locations where a copy of each listed reference may  
be found. Applicants respectfully direct the Examiner to the  
Image File Wrapper of the appropriate related application for a  
copy of the reference.

The Examiner is respectfully requested to make these references  
of record in the above-identified application by initialing and  
returning a copy of the enclosed Form PTO-1449 (Substitute).

1. U.S. Patent No. 4,689,320 (Kaji et al.), August 25,  
1987;
2. U.S. Patent No. 5,891,855 (Florkiewicz), April 6,  
1999;
3. U.S. Patent No. 6,054,299 (Conrad), April 25, 2000;
4. U.S. Provisional Application No. 60/068,562, filed  
December 23, 1997;
5. U.S. Patent No. 5,017,488 (McAllister et al.), May  
21, 1991;
6. U.S. Patent No. 5,270,163 (Gold et al.), December  
14, 1993;
7. U.S. Patent No. 5,349,126 (Joseph Chappell et al.),  
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8. U.S. Patent No. 5,405,775 (Inouye et al.), April 11, 1995;
9. U.S. Patent No. 5,434,070 (Inouye et al.), July 18, 1995;
10. U.S. Patent No. 5,457,189 (Crooke et al.), October 10, 1995;
11. U.S. Patent No. 5,474,935 (Chatterjee et al.), December 12, 1995;
12. U.S. Patent No. 5,496,698 (Draper), March 5, 1996;
13. U.S. Patent No. 5,530,192 (Murase et al.), June 25, 1996;
14. U.S. Patent No. 5,578,716 (Moshe Szyf and Eric von Hofe), November 26, 1996 (redacted version);
15. U.S. Patent No. 5,580,703 (Kotin et al.), December 3, 1996;
16. U.S. Patent No. 5,597,718 (John et al.), January 28, 1997;
17. U.S. Patent No. 5,631,148 (Michael S. Urdea), May 20, 1997 (redacted version);
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19. U.S. Patent No. 5,795,715, issued August 18, 1998, to Thierry Livache et al.;
20. U.S. Patent No. 5,801,154 (Baracchini et al.), September 1, 1998;
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22. U.S. Patent No. 5,939,600 (Goldbach et al.), August 17, 1999;
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25. U.S. Patent No. 6,344,316 B1, issued February 5, 2002 to David J. Lockhart et al.;
26. U.S. Patent No. 6,350,575 (Lusky et al.), February 26, 2002;
27. U.S. Patent No. 6,506,559 (Fire et al.), January 14, 2003 (redacted version);
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30. U.S. Provisional Application No. 60/068,562, filed December 23, 1997 (redacted version);
31. U.S. Published Application No. 2002/0150986 (Lau), October 17, 2002;
32. U.S. Published Application No. 2003/0148519 (Engelke et al.), August 7, 2003;
33. U.S. Published Application No. 2004/0106566 A1, June 3, 2004 (Lin et al.);
34. U.S. Published Application No. 2004/0234504 A1, (November 25, 2004) Inder M. Verma et al.;
35. PCT International Publication No. WO 01/12824 A1, published February 22, 2001;
36. Australian Patent No. AU-B-34025/93, published August 17, 1995;
37. Australian Patent No. AU 20891/91, October 1997;
38. Australian Patent No. AU 20891/97, October 1997;
39. Australian Patent No. AU 729454, February 1, 2001;
40. European Patent Application No. 0426195 B1, October 17, 2001;

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43. European Patent No. 0240208, October 7, 1987;
44. European Patent No. 0467349, January 22, 1992;
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46. European Patent No. 0647715, April 12, 1995;
47. European Patent No. 0779364, June 18, 1997;
48. PCT International Publication No. WO 2003/076619 A1, September 18, 2003;
49. PCT International Publication No. WO 2005/026356, published March 24, 2005;
50. PCT International Publication No. WO 89/05852, published June 29, 1989;
51. PCT International Publication No. WO 89/10396, published November 2, 1989;
52. PCT International Publication No. WO 91/02069, published February 21, 1991;
53. PCT International Publication No. WO 91/16426, published October 31, 1991;
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published March 18, 1993;
61. PCT International Publication No. WO 93/10251, May  
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62. PCT International Publication No. WO 94/01550,  
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63. PCT International Publication No. WO 94/09143,  
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70. PCT International Publication No. WO 97/11170 A1,  
March 27, 1997 (redacted version);
71. PCT International Publication No. WO 97/16559,  
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72. PCT International Publication No. WO 97/44460,  
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76. Complete file history for U.S. Patent No. 6,423,885 B1, issued July 23, 2002 (U.S. Serial No. 09/373,720, filed August 13, 1999; Peter Michael Waterhouse and Ming-Bo Wang);
77. U.S. Patent No. 7,138,565 B2, issued November 21, 2006 (U.S. Serial No. 10/152,808, filed May 23, 2002; Peter Michael Waterhouse and Ming-Bo Wang), including complete file history;
78. Amendment submitted April 7, 2006 in connection with U.S. Serial No. 10/152,808, filed May 23, 2002;
79. Amendment submitted July 13, 2005, including Terminal Disclaimer in connection with U.S. Serial No. 10/152,808, filed May 23, 2002;
80. Amendment submitted October 22, 2004 in connection with U.S. Serial No. 10/152,808, filed May 23, 2002;
81. Notice of Allowability, including Examiner's Statement of Reasons for Allowance issued July 11, 2006 in connection with U.S. Serial No. 10/152,808, filed May 23, 2002;
82. Office Action issued January 13, 2005 in connection with U.S. Serial No. 10/152,808, filed May 23, 2002;
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86. U.S. Patent Publication No. 2007-0056057 A1, published March 8, 2007 (U.S. Serial No. 11/593,056, filed November 6, 2006; Peter Michael Waterhouse and Ming-Bo Wang), including complete file history;
87. Amendment submitted June 12, 2008 in connection with U.S. Serial No. 11/593,056, filed November 6, 2006;
88. Communication submitted September 21, 2007 in connection with U.S. Serial No. 11/593,056, filed November 6, 2006;
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92. Preliminary Amendment submitted November 6, 2006 in connection with U.S. Serial No. 11/593,056, filed November 6, 2006;
93. U.S. Published Application No. 2005/0251877A1, published November 10, 2005 (U.S. Serial No. 11/179,504, filed July 13, 2005; Peter Michael Waterhouse and Ming-Bo Wang), including complete file history;



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95. Advisory Action issued June 6, 2008 in connection with U.S. Serial No. 11/179,504, filed July 13, 2005;
96. Amendment submitted February 15, 2008 in connection with U.S. Serial No. 11/179,504, filed July 13, 2005, including Exhibit A;
97. Amendment submitted February 28, 2007 in connection with U.S. Serial No. 11/179,504, filed July 13, 2005;
98. Amendment submitted October 18, 2007 in connection with U.S. Serial No. 11/179,504, filed July 13, 2005;
99. Amendment submitted September 2, 2008 in connection with U.S. Serial No. 11/179,504, filed July 13, 2005;
100. Amendment, including Exhibits A and B submitted May 21, 2008 in connection with U.S. Serial No. 11/179,504, filed July 13, 2005;
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105. Office Action issued January 30, 2007 in connection with U.S. Serial No. 11/179,504, filed July 13, 2005;
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110. U.S. Published Application No. 2003/074684 A1, published April 17, 2003 (U.S. Serial No. 09/997,905, filed November 30, 2001; Michael Wayne Graham and Robert Norman Rice), including complete file history;
111. Complete file history of U.S. Patent No. 6,573,099, June 3, 2003 (U.S. Serial No. 09/100,812, filed June 19, 1998; Michael Wayne Graham and Robert Norman Rice);
112. Advisory Action issued February 15, 2002 in connection with U.S. Serial No. 09/100,812, filed June 19, 1998;

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113. Amendment submitted April 29, 2002 in connection with U.S. Serial No. 09/100,812, filed June 19, 1998;
114. Amendment submitted November 10, 2000 in connection with U.S. Serial No. 09/100,812, filed June 19, 1998;
115. Amendment submitted November 12, 2001 in connection with U.S. Serial No. 09/100,812, filed June 19, 1998;
116. Amendment submitted October 17, 2002 in connection with U.S. Serial No. 09/100,812, filed June 19, 1998;
117. Amendment submitted September 26, 2002 in connection with U.S. Serial No. 09/100,812, filed June 19, 1998;
118. Communication submitted April 3, 2000 in connection with U.S. Serial No. 09/100,812, filed June 19, 1998;
119. Declaration of Kenneth Clifford Reed submitted September 26, 2002 in connection with U.S. Serial No. 09/100,812, filed June 19, 1998;
120. Declaration of Michael Wayne Graham submitted April 29, 2002 in connection with U.S. Serial No. 09/100,812, filed June 19, 1998;
121. Declaration of Michael Wayne Graham submitted September 26, 2002 in connection with U.S. Serial No. 09/100,812, filed June 19, 1998;
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124. Notice of Allowability, including Examiner's Amendment and Examiner's Statement of Reasons for Allowance issued November 20, 2002 in connection with U.S. Serial No. 09/100,812, filed June 19, 1998;
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127. Office Action issued May 10, 2000 in connection with U.S. Serial No. 09/100,812, filed June 19, 1998;
128. Complete file history for U.S. Published Application No. 2003/0159161 A1, published August 21, 2003 (U.S. Serial No. 10/346,853, filed January 17, 2003; Michael Wayne Graham and Robert Norman Rice);
129. Amendment and Request for Continued Examination submitted January 7, 2009 in connection with U.S. Serial No. 10/346,853, filed January 17, 2003;
130. Amendment submitted April 16, 2008 in connection with U.S. Serial No. 10/346,853, filed January 17, 2003;
131. Amendment submitted December 27, 2006 in connection with U.S. Serial No. 10/346,853, filed January 17, 2003;

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135. Amendment submitted October 17, 2007 in connection with U.S. Serial No. 10/346,853, filed January 17, 2003;
136. Communication submitted August 2, 2005 in connection with U.S. Serial No. 10/346,853, filed January 17, 2003;
137. Decision on Petition to Make Special Under 37 CFR 1.102(d) submitted July 27, 2004 in connection with U.S. Serial No. 10/346,853, filed January 17, 2003;
138. Interview Summary issued December 11, 2007 in connection with U.S. Serial No. 10/346,853, filed January 17, 2003;
139. Notice of Improper Request for Continued Examination issued October 29, 2008 in connection with U.S. Serial No. 10/346,853, filed January 17, 2003;
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153. Amendment submitted October 31, 2006 in connection with U.S. Serial No. 10/759,841, filed January 15, 2004;
154. Amendment submitted October 9, 2008 in connection with U.S. Serial No. 10/759,841, filed January 15, 2004;
155. Interview Summary for December 22, 2008 in connection with U.S. Serial No. 10/759,841, filed January 15, 2004;
156. Interview Summary for February 12, 2009 Interview in connection with U.S. Serial No. 10/759,841, filed January 15, 2004;
157. Interview Summary issued December 11, 2007 in connection with U.S. Serial No. 10/759,841, filed January 15, 2004;
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159. Office Action issued January 22, 2009 in connection with U.S. Serial No. 10/759,841, filed January 15, 2004;
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165. Preliminary Amendment submitted January 15, 2004 in connection with U.S. Serial No. 10/759,841, filed January 15, 2004;
166. Complete file history for U.S. Published Application No. 2004/0266005 A1, published December 30, 2004 (U.S. Serial No. 10/821,726, filed April 8, 2004; Michael Wayne Graham et al.);
167. Amendment and Request for Continued Examination Submitted September 5, 2008 in connection with U.S. Serial No. 10/821,726, filed April 8, 2004;
168. Amendment submitted August 2, 2007 in connection with U.S. Serial No. 10/821,726, filed April 8, 2004;
169. Amendment submitted December 14, 2006 in connection with U.S. Serial No. 10/821,726, filed April 8, 2004;
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145. Petition for Unintentionally Delayed Claim of Priority under 37 CFR § 1.78(a)(3) submitted December 27, 2006 in connection with U.S. Serial No. 10/346,853, filed January 17, 2003;
146. Petition to Make Special Under 37 CFR 1.102(d) submitted July 27, 2004 in connection with U.S. Serial No. 10/346,853, filed January 17, 2003;
147. Request for Continued Examination submitted October 7, 2008 in connection with U.S. Serial No. 10/346,853, filed January 17, 2003;
148. Complete file history for U.S. Published Application No. 2004/0180439 A1, pub. September 16, 2004 (U.S. Serial No. 10/759,841, filed January 15, 2004; Michael Wayne Graham and Robert Norman Rice);
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173. Amendment submitted October 31, 2007 in connection with U.S. Serial No. 10/821,726, filed April 8, 2004;
174. Amendment, including Exhibits A to C submitted September 5, 2008 in connection with U.S. Serial No. 10/821,726, filed April 8, 2004;
175. Communication issued April 2, 2007 in connection with U.S. Serial No. 10/821,726, filed April 8, 2004;
176. Decision on Petition to Make Special Under 37 CFR 1.102(d) issued July 28, 2004 in connection with U.S. Serial No. 10/821,726, filed April 8, 2004;
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180. Office Action issued October 14, 2005 in connection with U.S. Serial No. 10/821,726, filed April 8, 2004;
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183. Preliminary Amendment submitted April 8, 2004 in connection with U.S. Serial No. 10/821,726, filed April 8, 2004;
184. Request to Correct Inventorship Under 37 C.F.R. §1.48(a) submitted December 12, 2007 in connection with U.S. Serial No. 10/821,726, filed April 8, 2004;
185. Complete file history for U.S. Published Application No. 2005/0250208 A1, pub. November 10, 2005 (U.S. Serial No. 11/180,928, filed July 13, 2005; Michael Wayne Graham et al.);
186. Amendment submitted December 22, 2006, in connection with U.S. Serial No. 11/180,928, filed July 13, 2005;
187. Amendment submitted June 6, 2008 in connection with U.S. Serial No. 11/180,928, filed July 13, 2005;
188. Amendment submitted October 17, 2007 in connection with U.S. Serial No. 11/180,928, filed July 13, 2005;
189. Communication submitted March 6, 2007 in connection with U.S. Serial No. 11/180,928, filed July 13, 2005;
190. Interview Summary issued December 11, 2007 in connection with U.S. Serial No. 11/180,928, filed July 13, 2005;
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194. Office Action issued October 31, 2006 in connection with U.S. Serial No. 11/180,928, filed July 13, 2005;
195. Preliminary Amendment submitted July 13, 2005 in connection with U.S. Serial No. 11/180,928, filed July 13, 2005;
196. Request to Correct Inventorship Under 37 C.F.R. §1.48(a) filed October 17, 2007 in connection with U.S. Serial No. 11/180,928, filed July 13, 2005.;
197. U.S. Published Application No. 2004/0237145 A1, published November 25, 2004 (U.S. Serial No. 10/821,710, filed April 8, 2004; Michael Wayne Graham et al.), including complete file history;
198. Advisory Action issued July 20, 2007 in connection with U.S. Serial No. 10/821,710, filed April 8, 2004;
199. Advisory Action issued September 14, 2005 in connection with U.S. Serial No. 10/821,710, filed April 8, 2004;
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- 202. Amendment submitted December 15, 2004 in connection with U.S. Serial No. 10/821,710, filed April 8, 2004;
- 203. Amendment submitted February 7, 2008 in connection with U.S. Serial No. 10/821,710, filed April 8, 2004;
- 204. Amendment submitted July 12, 2007 in connection with U.S. Serial No. 10/821,710, filed April 8, 2004;
- 205. Amendment submitted July 25, 2007 in connection with U.S. Serial No. 10/821,710, filed April 8, 2004;
- 206. Amendment submitted November 20, 2006 in connection with U.S. Serial No. 10/821,710, filed April 8, 2004;
- 207. Amendment submitted October 31, 2007 in connection with U.S. Serial No. 10/821,710, filed April 8, 2004;
- 208. Decision on Petition to Make Special Under 37 CFR 1.102(d) submitted July 23, 2004 in connection with U.S. Serial No. 10/821,710, filed April 8, 2004;
- 209. Interview Summary issued November 6, 2006 in connection with U.S. Serial No. 10/821,710, filed April 8, 2004 ;
- 210. Notice of Abandonment issued December 15, 2008 in connection with U.S. Serial No. 10/821,710, filed April 8, 2004;
- 211. Office Action issued April 17, 2008 in connection with U.S. Serial No. 10/821,710, filed April 8, 2004;
- 212. Office Action issued August 7, 2007 in connection with U.S. Serial No. 10/821,710, filed April 8, 2004;

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213. Office Action issued February 11, 2005 in connection with U.S. Serial No. 10/821,710, filed April 8, 2004;
214. Office Action issued February 8, 2005 in connection with U.S. Serial No. 10/821,710, filed April 8, 2004;
215. Office Action issued January 12, 2007 in connection with U.S. Serial No. 10/821,710, filed April 8, 2004;
216. Office Action issued June 19, 2006 in connection with U.S. Serial No. 10/821,710, filed April 8, 2004;
217. Office Action issued June 29, 2005 in connection with U.S. Serial No. 10/821,710, filed April 8, 2004;
218. Office Action issued October 15, 2004 in connection with U.S. Serial No. 10/821,710, filed April 8, 2004;
219. Petition to Make Special Under 37 CFR 1.102(d) submitted July 23, 2004 in connection with U.S. Serial No. 10/821,710, filed April 8, 2004;
220. Preliminary Amendment submitted December 21, 2005 in connection with U.S. Serial No. 10/821,710, filed April 8, 2004.;
221. Request to Correct Inventorship Under 37 C.F.R. §1.48(a) submitted December 12, 2007 in connection with U.S. Serial No. 10/821,710, filed April 8, 2004;
222. Complete file history for U.S. Published Application No. 2006/0014715, published January 19, 2006 (U.S.

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Serial No. 11/218,999, filed September 2, 2005;  
Michael Wayne Graham et al.);

223. Amendment submitted February 19, 2008 in connection with U.S. Serial No. 11/218,999, filed September 2, 2005;
224. Amendment submitted June 17, 2008 in connection with U.S. Serial No. 11/218,999, filed September 2, 2005;
225. Amendment submitted March 30, 2009 in connection with U.S. Serial No. 11/218,999, filed September 2, 2005;
226. Amendment submitted October 31, 2007 in connection with U.S. Serial No. 11/218,999, filed September 2, 2005;
227. Office Action issued May 21, 2008 in connection with U.S. Serial No. 11/218,999, filed September 2, 2005;
228. Office Action issued September 17, 2007 in connection with U.S. Serial No. 11/218,999, filed September 2, 2005;
229. Office Action issued September 30, 2008 in connection with U.S. Serial No. 11/218,999, filed September 2, 2005;
230. Preliminary Amendment To The Accompanying Divisional Application Filed Under 37 C.F.R. §1.53, Submission of Sequence Listing And Information Disclosure Statement submitted September 2, 2005 in connection with U.S. Serial No. 11/218,999, filed September 2, 2005;
231. Request to Correct Inventorship Under 37 C.F.R. §1.48(a) submitted October 31, 2007 in connection with U.S. Serial No. 11/218,999, filed September 2, 2005;

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- 232. Amendment submitted July 24, 2008 in connection with U.S. Serial No. 10/646,070, filed August 22, 2003;
- 233. Amendment submitted October 10, 2008 in connection with U.S. Serial No. 10/646,070, filed August 22, 2003;
- 234. Amendment, including Exhibits A to I submitted July 24, 2008 in connection with U.S. Serial No. 10/646,070, filed August 22, 2003;
- 235. Office Action issued November 4, 2008 in connection with U.S. Serial No. 10/646,070, filed August 22, 2003;
- 236. U.S. Serial No. 09/100,813, filed June 19, 1998 (Michael Wayne Graham), including complete file history;
- 237. Amendment submitted December 18, 2002 in connection with U.S. Serial No. 09/646,807, filed December 5, 2000;
- 238. Amendment submitted December 27, 2005 in connection with U.S. Serial No. 09/646,807, filed December 5, 2000;
- 239. Amendment submitted December 28, 2006 in connection with U.S. Serial No. 09/646,807, filed December 5, 2000;
- 240. Amendment submitted December 7, 2004 in connection with U.S. Serial No. 09/646,807, filed December 5, 2000;
- 241. Amendment submitted March 10, 2005 in connection with U.S. Serial No. 09/646,807, filed December 5, 2000;

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- 242. Amendment submitted September 8, 2003 in connection with U.S. Serial No. 09/646,807, filed December 5, 2000;
- 243. Communication issued February 17, 2005 in connection with U.S. Serial No. 09/646,807, filed December 5, 2000;
- 244. Communication issued October 27, 2005 in connection with U.S. Serial No. 09/646,807, filed December 5, 2000;
- 245. Office Action issued December 17, 2003 in connection with U.S. Serial No. 09/646,807, filed December 5, 2000;
- 246. Office Action issued July 8, 2008 in connection with U.S. Serial No. 09/646,807, filed December 5, 2000;
- 247. Office Action issued June 28, 2006 in connection with U.S. Serial No. 09/646,807, filed December 5, 2000;
- 248. Office Action issued March 7, 2003 in connection with U.S. Serial No. 09/646,807, filed December 5, 2000;
- 249. Office Action issued November 18, 2002 in connection with U.S. Serial No. 09/646,807, filed December 5, 2000;
- 250. Office Action issued November 18, 2002 in connection with U.S. Serial No. 09/646,807, filed December 5, 2000;
- 251. Petition for Unintentionally Delayed Claim of Priority under 37 CFR § 1.78(a)(3) submitted December 28, 2006 in connection with U.S. Serial No. 09/646,807, filed December 5, 2000;



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252. Preliminary Amendment submitted July 30, 2001 in connection with U.S. Serial No. 09/646,807, filed December 5, 2000;
253. Preliminary Amendment submitted May 14, 2001 in connection with U.S. Serial No. 09/646,807, filed December 5, 2000;
254. Preliminary Amendment submitted September 20, 2000 in connection with U.S. Serial No. 09/646,807, filed December 5, 2000;
255. Request to Correct Inventorship Under 37 C.F.R. § 1.48(a) submitted December 12, 2007 in connection with U.S. Serial No. 09/646,807, filed December 5, 2000;
256. File of Re-examination Control No. 90/007,247, filed October 4, 2004 including all references cited and disclosed, rejections and arguments therein (reexamination of U.S. Patent No. 6,573,099, issued June 3, 2003 from U.S. Serial No. 09/100,812);
257. Amendment submitted June 12, 2006 in connection with U.S. Reexamination No. 90/007,247, filed October 4, 2004;
258. Amendment submitted November 28, 2005 in connection with U.S. Reexamination No. 90/007,247, filed October 4, 2004;
259. Declaration [of Michael Graham, Ph.D.] Under 37 C.F.R. § 1.131 included with the Amendment submitted June 12, 2006 in connection with U.S. Reexamination No. 90/007,247, filed October 4, 2004;
260. Declaration of Michael Graham Under 37 C.F.R. § 1.132 included with the Amendment submitted November

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- 28, 2005 in connection with U.S. Reexamination No. 90/007,247, filed October 4, 2004;
261. Ex Parte Reexamination Interview Summary issued October 25, 2005 in connection with U.S. Reexamination No. 90/007,247, filed October 4, 2004;
262. Letter to Examiner submitted March 1, 2006, including a copy of a communication from the Australian Patent Office in connection with U.S. Reexamination No. 90/007,247, filed October 4, 2004;
263. Office Action issued April 12, 2006 in connection with U.S. Reexamination No. 90/007,247, filed October 4, 2004;
264. Office Action issued August 31, 2005 in connection with U.S. Reexamination No. 90/007,247, filed October 4, 2004;
265. Order Granting / Denying Request For Ex Parte Reexamination issued December 7, 2004 in connection with U.S. Reexamination No. 90/007,247, filed October 4, 2004;
266. Request for Reexamination Pursuant to 35 U.S.C. §§ 302-307 and 37 C.F.R. § 1.510, submitted October 4, 2004 in connection with U.S. Reexamination No. 90/007,247, filed October 4, 2004;
267. Statement of the Content of the Interview Under 37 C.F.R. § 1.560(b) included with the Amendment submitted November 28, 2005 in connection with U.S. Reexamination No. 90/007,247, filed October 4, 2004;
268. Petition For Extension of Time submitted April 22, 2009 in connection with Merged Reexamination Nos. 90/007,247 and 90/008,096, filed October 4, 2004 and May 18, 2006, respectively ;

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- 269. Advisory Action issued April 24, 2009 in connection with Merged Reexamination Nos. 90/007,247 and 90/008,096, filed October 4, 2004 and May 18, 2006, respectively ;
- 270. Advisory Action issued March 25, 2009 in connection with Merged Reexamination Nos. 90/007,247 and 90/008,096, filed October 4, 2004 and May 18, 2006, respectively ;
- 271. Advisory Action issued March 25, 2009 in connection with Merged Reexamination Nos. 90/007,247 and 90/008,096, filed October 4, 2004 and May 18, 2006, respectively ;
- 272. Amendment after Final submitted February 26, 2009 in connection with Merged Reexamination Nos. 90/007,247 and 90/008,096, filed October 4, 2004 and May 18, 2006, respectively ;
- 273. Amendment submitted April 24, 2007 in connection with Merged Reexamination Nos. 90/007,247 and 90/008,096, filed October 4, 2004 and May 18, 2006, respectively ;
- 274. Amendment submitted August 3, 2007 in connection with Merged Reexamination Nos. 90/007,247 and 90/008,096, filed October 4, 2004 and May 18, 2006, respectively ;
- 275. Amendment submitted July 11, 2008 in connection with Merged Reexamination Nos. 90/007,247 and 90/008,096, filed October 4, 2004 and May 18, 2006, respectively ;
- 276. Amendment submitted November 28, 2007 in connection with Merged Reexamination Nos. 90/007,247 and

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90/008,096, filed October 4, 2004 and May 18, 2006,  
respectively ;

277. Decision on Petition For Extension of Time issued April 27, 2009 in connection with Merged Reexamination Nos. 90/007,247 and 90/008,096, filed October 4, 2004 and May 18, 2006, respectively ;
278. Decision on Petition Under 37 C.F.R. § 1.181 issued April 25, 2009 in connection with Merged Reexamination Nos. 90/007,247 and 90/008,096, filed October 4, 2004 and May 18, 2006, respectively ;
279. Declaration [of Kenneth Reed, Ph.D.] Under 37 C.F.R. § 1.131 included with the Amendment submitted April 24, 2007 in connection with Merged Reexamination Nos. 90/007,247 and 90/008,096, filed October 4, 2004 and May 18, 2006, respectively ;
280. Declaration [of Michael Graham, Ph.D.] Under 37 C.F.R. § 1.131 included with the Amendment submitted April 24, 2007 in connection with Merged Reexamination Nos. 90/007,247 and 90/008,096, filed October 4, 2004 and May 18, 2006, respectively ;
281. Declaration of Dr. Arthur Riggs Under Under 37 C.F.R. §1.132, including Exhibits A to I submitted February 26, 2009 in connection with Merged Reexamination Nos. 90/007,247 and 90/008,096, filed October 4, 2004 and May 18, 2006, respectively ;
282. Interview Summary issued February 12, 2009 in connection with Merged Reexamination Nos. 90/007,247 and 90/008,096, filed October 4, 2004 and May 18, 2006, respectively ;
283. Interview Summary issued July 6, 2007 in connection with Merged Reexamination Nos. 90/007,247 and

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90/008,096, filed October 4, 2004 and May 18, 2006,  
respectively ;

284. Interview Summary issued June 12, 2008 in connection  
with Merged Reexamination Nos. 90/007,247 and  
90/008,096, filed October 4, 2004 and May 18, 2006,  
respectively ;
285. Interview Summary issued March 2, 2007 in connection  
with Merged Reexamination Nos. 90/007,247 and  
90/008,096, filed October 4, 2004 and May 18, 2006,  
respectively ;
286. Office Action issued April 11, 2008 in connection  
with Merged Reexamination Nos. 90/007,247 and  
90/008,096, filed October 4, 2004 and May 18, 2006,  
respectively ;
287. Office Action issued January 24, 2007 in connection  
with Merged Reexamination Nos. 90/007,247 and  
90/008,096, filed October 4, 2004 and May 18, 2006,  
respectively ;
288. Office Action issued November 19, 2008 in connection  
with Merged Reexamination Nos. 90/007,247 and  
90/008,096, filed October 4, 2004 and May 18, 2006,  
respectively ;
289. Office Action issued November 26, 2008 in connection  
with Merged Reexamination Nos. 90/007,247 and  
90/008,096, filed October 4, 2004 and May 18, 2006,  
respectively ;
290. Petition Under 37 C.F.R. § 1.181 submitted April 3,  
2009 in connection with Merged Reexamination Nos.  
90/007,247 and 90/008,096, filed October 4, 2004 and  
May 18, 2006, respectively ;

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291. Petition Under 37 C.F.R. § 1.182 submitted April 3, 2009 in connection with Merged Reexamination Nos. 90/007,247 and 90/008,096, filed October 4, 2004 and May 18, 2006, respectively ;
292. Statement of the Content of the Interview Under 37 C.F.R. § 1.560(b) included with the Amendment submitted August 3, 2007 in connection with Merged Reexamination Nos. 90/007,247 and 90/008,096, filed October 4, 2004 and May 18, 2006, respectively ;
293. Summary of the Substance of the Interview and Comments on Examiner's Notes submitted March 16, 2007 in connection with Merged Reexamination Nos. 90/007,247 and 90/008,096, filed October 4, 2004 and May 18, 2006, respectively ;
294. File of Re-examination Control No. 90/008,096, filed May 18, 2006 including all references cited and disclosed, rejections and arguments therein (reexamination of U.S. Patent No. 6,573,099, issued June 3, 2003 from U.S. Serial No. 09/100,812);
295. Housekeeping Amendment submitted November 27, 2006 in connection with U.S. Reexamination No. 90/008,096, filed May 18, 2006;
296. Notice of Failure to Comply with Ex Parte Reexamination Request Filing Requirements [37 CFR 1.510(c)] issued May 23, 2006 in connection with U.S. Reexamination No. 90/008,096, filed May 18, 2006;
297. Order Granting / Denying Request For Ex Parte Reexamination issued July 20, 2006 in connection with U.S. Reexamination No. 90/008,096, filed May 18, 2006;

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298. Reply to Notice of Failure to Comply with Ex Parte Reexamination Request Filing Requirements submitted June 14, 2006 in connection with U.S. Reexamination No. 90/008,096, filed May 18, 2006;
299. Request for Reexamination Pursuant to 35 U.S.C. §§ 302-307 and 37 C.F.R. §§1.502 and 1.510, submitted May 18, 2006 in connection with U.S. Reexamination No. 90/008,096, filed May 18, 2006;
300. U.S. Patent Publication No. 2008/0044906 A1, published February 21, 2008 (U.S. Serial No. 10/571,384, filed June 1, 2006; Peter Michael Waterhouse et al.) including complete file history;
301. Amendment submitted December 19, 2008 in connection with U.S. Serial No. 10/571,384, filed June 1, 2006;
302. Amendment submitted February 8, 2007 in connection with U.S. Serial No. 10/571,384, filed as a §371 national stage of PCT International Application No. PCT/AU2004/01237;
303. Office Action issued January 15, 2009 in connection with U.S. Serial No. 10/571,384, filed June 1, 2006;
304. Office Action issued June 19, 2008 in connection with U.S. Serial No. 10/571,384, filed June 1, 2006;
305. Preliminary Amendment submitted March 10, 2006 in connection with U.S. Serial No. 10/571,384, filed as a §371 national stage of PCT International Application No. PCT/AU2004/01237;
306. Abstract in English for European Patent Publication No. 0560156, published September 15, 1993, retrieved from esp@acenet on April 22, 2008;

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- 307. Amendment submitted November 4, 2005 in connection with U.S. Serial No. 10/282,996, filed October 30, 2002;
- 308. Office Action issued January 25, 2006 in connection with U.S. Serial No. 10/282,996, filed October 30, 2002;
- 309. U.S. Serial No. 11/905,368, filed September 28, 2007 (Andrew Fire et al.);
- 310. U.S. Serial No. 09/056,767, filed April 8, 1998 (Peter Michael Waterhouse et al.), including complete file history;
- 311. U.S. Serial No. 09/127,735, filed August 3, 1998 (Peter Michael Waterhouse et al.), including complete file history;
- 312. U.S. Serial No. 09/287,632, filed April 7, 1999 (Peter Michael Waterhouse et al.), including complete file history;
- 313. Advisory Action issued April 11, 2002 in connection with U.S. Serial No. 09/287,632, filed April 7, 1999;
- 314. Amendment submitted April 2, 2002 in connection with U.S. Serial No. 09/287,632, filed April 7, 1999;
- 315. Amendment submitted August 21, 2000 in connection with U.S. Serial No. 09/287,632, filed April 7, 1999;
- 316. Amendment submitted August 24, 2001 in connection with U.S. Serial No. 09/287,632, filed April 7, 1999;
- 317. Amendment submitted August 8, 2007, in connection with U.S. Serial No. 09/287,632, filed April 7, 1999;



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- 318. Amendment submitted January 16, 2003 in connection with U.S. Serial No. 09/287,632, filed April 7, 1999;
- 319. Amendment submitted July 7, 2003 in connection with U.S. Serial No. 09/287,632, filed April 7, 1999;
- 320. Amendment submitted June 11, 2001 in connection with U.S. Serial No. 09/287,632, filed April 7, 1999;
- 321. Amendment submitted March 19, 2009 in connection with U.S. Serial No. 09/287,632, filed April 7, 1999;
- 322. Amendment submitted March 5, 2001 in connection with U.S. Serial No. 09/287,632, filed April 7, 1999;
- 323. Amendment submitted May 1, 2008 in connection with U.S. Serial No. 09/287,632, filed April 7, 1999;
- 324. Amendment submitted May 10, 2006, in connection with U.S. Serial No. 09/287,632, filed April 7, 1999;
- 325. Amendment submitted November 22, 2006 in connection with U.S. Serial No. 09/287,632, filed April 7, 1999;
- 326. Amendment submitted September 12, 2005, in connection with U.S. Serial No. 09/287,632, filed April 7, 1999;
- 327. Communication issued August 21, 2001 in connection with U. S. Serial No. 09/287,632, filed April 7, 1999;
- 328. Communication issued December 3, 2004, in connection with U.S. Serial No. 09/287,632, filed April 7, 1999;
- 329. Communication issued July 21, 2000 in connection with U.S. Serial No. 09/287,632, filed April 7, 1999;

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- 330. Communication issued June 2, 1999 in connection with U.S. Serial No. 09/287,632, filed April 7, 1999;
- 331. Communication issued March 25, 2004 in connection with U.S. Serial No. 09/287,632, filed April 7, 1999;
- 332. Communication submitted May 18, 2001 in connection with U.S. Serial No. 09/287,632, filed April 7, 1999;
- 333. Declaration of Dr. Elizabeth Salisbury Dennis Under Under 37 C.F.R. §1.132, including Exhibits 1 to 14 submitted August 8, 2007 in connection with U.S. Serial No. 09/287,632, filed April 7, 1999;
- 334. Declaration of Dr. Marc De Block Under 37 C.F.R. §1.132, including Annexes 1 and 2 submitted August 8, 2007, in connection with U.S. Serial No. 09/287,632, filed April 7, 1999;
- 335. Interview Summary issued July 29, 2004 in connection with U.S. Serial No. 09/287,632, filed April 7, 1999;
- 336. Interview Summary issued June 2, 2006, in connection with U.S. Serial No. 09/287,632, filed April 7, 1999;
- 337. Interview Summary issued November 30, 2007 in connection with U.S. Serial No. 09/287,632, filed April 7, 1999;
- 338. Interview Summary of September 5, 2002 Interview in connection with U.S. Serial No. 09/287,632, filed April 7, 1999;
- 339. March 18, 2009 Declaration Under 37 C.F.R. 1.131 including Annexes I to III, of Dr. Michael Metzloff

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in connection with U.S. Serial No. 09/287,632,  
filed April 7, 1999;

340. May 1, 2008 Declaration Under 37 C.F.R. § 1.131,  
including Exhibits 1 to 5 of Peter Michael  
Waterhouse, Michael Wayne Graham, Ming-Bo Wang and  
Neil A. Smith in connection with U.S. Serial No.  
09/287,632, filed April 7, 1999;
341. May 7, 2008 Declaration Under 37 C.F.R. 1.132 of  
Peter Robert Schofield Resubmission in connection  
with U.S. Serial No. 09/287,632, filed April 7,  
1999;
342. November 1, 2007 Declaration Under 37 C.F.R. §  
1.131, including Exhibits 1 to 5 of Dr. Elizabeth  
Salisbury Dennis in connection with U.S. Serial No.  
09/287,632, filed April 7, 1999;
343. Office Action issued April 9, 2003 in connection  
with U.S. Serial No. 09/287,632, filed April 7,  
1999;
344. Office Action issued February 8, 2007, in connection  
with U.S. Serial No. 09/287,632, filed April 7,  
1999;
345. Office Action issued July 16, 2002 in connection  
with U.S. Serial No. 09/287,632, filed April 7,  
1999;
346. Office Action issued June 22, 2006 in connection  
with U.S. Serial No. 09/287,632, filed April 7,  
1999;
347. Office Action issued March 11, 2005 in connection  
with U.S. Serial No. 09/287,632, filed April 7,  
1999;

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- 348. Office Action issued November 1, 2007, in connection with U.S. Serial No. 09/287,632, filed April 7, 1999;
- 349. Office Action issued November 10, 2005 in connection with U.S. Serial No. 09/287,632, filed April 7, 1999;
- 350. Office Action issued November 2, 2001 in connection with U.S. Serial No. 09/287,632, filed April 7, 1999;
- 351. Office Action issued November 3, 2004 in connection with U.S. Serial No. 09/287,632, filed April 7, 1999;
- 352. Office Action issued October 3, 2000 in connection with U.S. Serial No. 09/287,632, filed April 7, 1999;
- 353. Office Action issued September 19, 2008 in connection with U.S. Serial No. 09/287,632, filed April 7, 1999;
- 354. Petition To Correct Inventorship Pursuant To 37 C.F.R. 1.48(a) submitted September 13, 2006 in connection with U.S. Serial No. 09/287,632, filed April 7, 1999;
- 355. Preliminary Amendment submitted June 28, 1999 in connection with U.S. Serial No. 09/287,632, filed April 7, 1999 ;
- 356. Summary of Interview submitted August 6, 2004 in connection with U.S. Serial No. 09/287,632, filed April 7, 1999;
- 357. Complete file history for U.S. Patent Publication No. 2004-0214330, published October 28, 2004 (U.S.

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Serial No. 10/755,328, filed January 13, 2004; Peter Michael Waterhouse et al.);

358. Office Action issued September 1, 2005 in connection with U.S. Serial No. 10/755,328, filed January 13, 2004;
359. Preliminary Amendment submitted January 13, 2004 in connection with U.S. Serial No. 10/755,328, filed January 13, 2004;
360. U.S. Patent Publication No. 2006-0178335, published August 10, 2006 (U.S. Serial No. 11/364,183, filed March 1, 2006; Peter Michael Waterhouse et al.), including complete file history;
361. Amendment submitted April 15, 2009, in connection with U.S. Serial No. 11/364,183, filed March 1, 2006.;
362. Declaration by Dr. Michael Metzloff Under 37 C.F.R. § 1.132 submitted April 15, 2009, in connection with U.S. Serial No. 11/364,183, filed March 1, 2006.;
363. Declaration of Geoffrey Ellacott submitted April 15, 2009, in connection with U.S. Serial No. 11/364,183, filed March 1, 2006.;
364. Declaration of Neil Smith submitted April 15, 2009, in connection with U.S. Serial No. 11/364,183, filed March 1, 2006.;
365. Declaration of Peter Michael Waterhouse submitted April 15, 2009, in connection with U.S. Serial No. 11/364,183, filed March 1, 2006.;
366. Amendment submitted January 10, 2008 in connection with U.S. Serial No. 11/364,183, filed March 1, 2006;

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367. Amendment submitted July 2, 2008 in connection with U.S. Serial No. 11/364,183, filed March 1, 2006;
368. Interview Summary for February 1, 2008 Interview in connection with U.S. Serial No. 11/364,183, filed March 1, 2006;
369. Interview Summary from February 11, 2009 Interview in connection with U.S. Serial No. 11/364,183, filed March 1, 2006;
370. July 2, 2008 Declaration Under 37 C.F.R. § 1.131, including Exhibits 1 to 3 of Peter Michael Waterhouse, Michael Wayne Graham, and Ming-Bo Wang in connection with U.S. Serial No. 11/364,183, filed March 1, 2006;
371. Office Action issued April 17, 2008 in connection with U.S. Serial No. 11/364,183, filed March 1, 2006;
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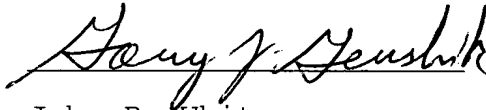
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107.


If a telephone interview would be of assistance in advancing  
prosecution of the subject application, Applicants'  
undersigned attorney invites the Examiner to telephone him at  
the number provided below.

No fee, other than the enclosed fee of \$180.00, is deemed  
necessary in connection with the filing of this Supplemental  
Information Disclosure Statement. However, if any fee is  
required authorization is hereby given to charge the amount of  
any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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# **EXHIBIT A**

## **Supplemental Information Disclosure Statement**

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